

# **SEWER COMMISSION PUBLIC HEARING ON THE FACILITY PLAN MEETING - MINUTES**

**October 10, 2007**

**Mrs. Briggs - The Public Hearing for the Facility Plan meeting for the Town of North Smithfield Sewer Commission was called to order on Wednesday October 10, 2007 at 7:01 pm. The presentation will be made by Mr. James Geremia & Associates.**

**Mr. Geremia stated that the public hearing is for the Town of North Smithfield Wastewater Facility Plan. The Public Hearing is being held at the Kendall Dean school located at 83 Greene Street. The Notice for the public hearing was advertised in the Providence Journal on October 3, 2007. A legal ad was posted at that time and also posted on the Sewer Commission agenda dated October 4, 2007. The public hearing is being conducted as part of the North Smithfield Sewer Commission meeting and in compliance with the Department of Environmental Management water resource requirement. On July 26, 2007, the Town of North Smithfield received approval for the draft facility plan which brings it to the phase they are right now which means a public hearing needs to be held. The facility plan was available for review at the Memorial Town Hall building in the Wastewater department located on 1 Main Street in Slatesville, North Smithfield. The presenter is himself, James Geremia, PE from**

**Geremia & Associates, Consultant for the Town of North Smithfield sewer division. He noted that at the conclusion of the public hearing. He will leave the written portion open of the Public Hearing open for 10 additional days. That allows the public to provide any written comments regarding the facility plan. After that 10 day period the facility plan document will then be submitted to DEM. Once DEM receives and approves the document, they will issue a finding of no significant impact which is a (FONSI) which will be issued in the Providence Journal. That will go for a 30 day public notice. At that point in time, the document will be approved. There was no public present.**

**Mr. Geremia provided handouts on the executive summary on the Wastewater Management Facilities Plan and referred to it as being the most recent facility plan and to discard all previous ones. He informed members that the first public meeting on the facility plan was held a year ago on October 11, 2006. The purpose of that was to solicit any public comment as to the documentation at what they are looking to do and establish the facility plan. Another public meeting was held in front of the town council in the summer of 2007 and the commissions finding were presented to the town council with regards to the facility plan. There has been adequate public exposure to the facility plan. He noted they have full-filled the public requirements to solicit input at the public meetings. He also noted that the tape recording will be part of the facility plan that will also be submitted to DEM at the conclusion of the presentation.**

What they looked at was the collection system and the future wastewater needs of the community. He recapped and in 1977 the town had the foresight to enter into an agreement with the City of Woonsocket. That agreement reserved 3 million gallons of capacity at the Woonsocket Wastewater treatment facility. He stated that we have the capacity to sewer most of the community into tying into the Woonsocket treatment plant. The town is broken down evenly between 49% sewers and 51% ISDS systems. The existing sewer districts as defined earlier are as follows: Union Village, Mendon Road, Ironstone and also called School Street and Birch Street as districts. As reviewing the ordinance there are three assessment districts and they are Union Village, Mendon Road and Ironstone. The School Street and Birch Street while they are districts defined on the map, the assessment all falls under the Ironstone assessment. It delineates the existing sewerage shaded in areas on the map he provided. There are 13 miles of lateral and interceptive sewers. It ranges from 8 to 30 inches in diameter. There are 8 pumping stations and two flow metering stations. The facility plan recommended two things. The first one is the expansion of sewers, adjacent to the existing infrastructure and it also recommended a wastewater management district. They looked at the future needs for sewers and where they needed to expand the future wastewater sewer collection system. They looked at where the high number of ISDS failures, looked at groundwater, and surface water protection areas and looked at the location of the existing infrastructure. They conducted

a study and found that there are 2,100 homes that are on ISDS systems. Over the past 5 years a little over 100 of those had to be replaced, repaired or had some sort of failure reported and upgrades had to be undertaken. He referred to table 1-7. There is a cluster of ISDS failures in the northern and northwest portion of the community.

The systems fail due to population and density. Water protection areas are where a lot of ISDS failures occur and in the northern portion of the town is where the ground water protection area is. Those are the areas as to why they need to put sewers in. Mr. Geremia referred to Table 1-7 in the executive summary. They have assumed a 20 year bond paid over at 3% interest. The SRF funding interest rate may vary depending on what they are selling bonds for. All bond repayment is based on a 20 year payment. Then they looked at the dwelling units equivalent dwelling units (edu's). In some areas like the Willerval and Tanglewood where there are portions of commercial land it is very difficult to establish what a commercial rate is going to be since the district has not been formed yet. So in an attempt to give an evaluation of a cost per equivalent unit, what they have done in the facility plan is taking a dwelling unit to be equal to 300 gallons per day. A home approximately generates 300 gallons per day of waste water. And they are projecting for the need for that area. For an example, if commercial land was taken and they were going to build on it, what they have used in the facility plan is a 1,000 gallons per acre per day. He stated it was pretty standard estimate of commercial it could range from 600 gallons to 1500 gallons per acre per day. What it means as an equivalent dwelling unit it is slightly

over 3 units for a commercial acre is equivalent to what a 3 single family homes would generate as far as waste water is concerned. That is how they

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established equivalent dwelling units. It would equal 3 payments. It is a way of establishing of what the units are and what a homeowner should expect to pay. It is annually over the 20 years. In addition he noted that the public must understand that there is a usage charge that will be tacked onto that. The way the ordinance reads, they can pay it a one time or they can pay it over 20 years paying at the current interest rate which is at 3%.

The wastewater management district is the next area and there is an extensive section of the town that will not have sewers. It is cost prohibitive to have sewers. The reason they included the wastewater management district in the facility plan is because it provides the residents and once the facility plan is adopted and put into ordinance, the residents who have ISDS failures that want to get a low interest loan can apply for that under SRF, plus the town has adopted a wastewater management district. This allows them that ability, so a homeowner can identify their needs in replace it with a low interest loan. That would provide that opportunity. The plan they are proposing in the facility plan is over the next 5 years inspect all of the ISDS systems. Have mandatory pump outs every three years and the

cesspools must be replaced. What they are proposing that within 5 years of the date of inspection or when a house is sold they normally are usually required to upgrade or make some provisions and those are the ideas they are proposing that the Town of North Smithfield adopts when they adopt the ordinance for that. Cesspools do not meet the current ISDS standards. They pollute and they are not functioning correctly and are a problem for the ground water and they need to correct that. A septic system is a biological system, it is a system that has to be maintained and it isn't being done. It is not routinely pumped it is only pumped out if there is a problem. People need to understand that a septic system and the more sophisticated that are now being required in some areas of town are functioning biological systems and it needs to be upgraded. He feels that it is important that the people need to understand that. They are not proposing that the town hire inspectors. The homeowners can hire the individuals that are certified through the DEM and they would be listed with the town and propose that be submitted and the planning department or the sewer department be the recipient of the data and then begin to develop a data base. It would provide a data base for the community.

The public formal hearing closed at 7:26 PM.

Mr. Geremia stated that they will leave it open for public written comment for the next 10 days and they will address anything of substance. Then they will submit the document to DEM and probably

within 45-60 days from when they submit it, there will then be an approved document. He will provide a PDF file to the commission once it is final.

**REGULAR SEWER COMMISSION MEETING – IMMEDIATELY  
FOLLOWING PUBLIC HEARING 7:27 PM  
OCTOBER 10, 2007**

**Roll Call - Mrs. Paul - In attendance was: Mr. McGee, Mr. Nordstrom, Mrs. Briggs, Mr. Connolly, Mr. Alvarez and Mrs. Paul Secretary. Mr. Tikoian was not in attendance.**

**1. APPROVAL OF MINUTES**

**Mrs. Briggs -Approval of Sewer Commission for August 8, 2007 minutes. There wasn't a quorum present in September to approve the August 8th minutes and also due to having Mr. Nordstrom not present at the August meeting.**

**MOTION by Mr. Connolly, seconded by Mr. McGee and voted unanimously on an aye 3-0 vote to approve the August 8th minutes. Mr. Nordstrom abstained due to not being present at the August 8th meeting.**

**MOTION by Mr. Nordstrom, seconded by Mr. Connolly and voted unanimously on an aye 3-0 vote to approve the September 12th minutes. Mr. McGee abstained from September's meeting.**

## **2. REPORT FROM SUPERINTENDENT**

**Mr. Alvarez report was submitted for the month of June, July, August and September report. Please refer to his typed report submitted at meeting.**

**He noted that all the wastewater projects had been completed. The muffin monster is installed and working.**

## **3. COMMERCIAL DEVELOPMENT FEES - Discussion With Geremia & Associates**

**Mrs. Briggs stated that the commission wanted to begin a discussion with Mr. Geremia and with various developers coming before the commission and there has been different ways of calculating edu's (equivalent dwelling units) that the concern has come from the employee in the tax department from the town who calculates all of those bills. Being cautiously optimistic with the bond passing next week and when it does, there will be potential additional commercial development, the commission would like to get an interpretation of what the existing ordinance reads for commercial development and also how will commercial development will be handled in a bonding situation going forward.**

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Mr. Geremia took a look at the ordinance and looking at the Ironstone district assessment for an example that has everything. It is a four-part formula. There is an assessed value of the land which is \$115,000 of assessed value. The next component is if there is a dwelling unit. And it is \$52.50 per thousand of assessed value or as structure and then it is a number of feet that abut a highway, and then there is a flat fee for the property. The ordinance states that future assessments will be based upon future sewer districts and will be structured that each assessment including principal and the maximum interest would be the same rate throughout the town. So if the town borrowed the \$21,000,000, all the projects would then be put into the hopper and all of the users would pay equally even though a Great Road East would be more expensive than another section of town, everyone would pay equally. All the residential units would be the same unit. The ordinance doesn't look at the commercial unit. He stated that by looking at a commercial unit and being an edu unit, but he isn't sure that it is going to fit into it. There may be a commercial unit that doesn't have anymore flow than a residential unit. He feels that maybe the formula that is used for the Ironstone is more appropriate. The problem may be with the assessed values and what the base year is. He doesn't know what other communities are doing and he has to look at commercial and maybe he would come up with some options.

Mr. Nordstrom made the point that it maybe a horror show to administer for the water superintendent.

**Mr. Geremia noted that in the new districts that the ordinance could be modified and to take a look at those.**

**Mrs. Briggs feels that it would be less confusing than the situation that Mr. Nordstrom had brought up because it is existing commercial property and it is being retro fit and it is being connected and it was never connected before. So administratively there is no way of measuring them because they are non-existing. She stated that they would probably look at the edu's for the O & M or for the usage fee but right now though they are looking at a connection fee.**

**Mr. Geremia stated that it is something different and they have not experienced this before and he thinks it needs to be evaluated now.**

**Mr. Nordstrom explained Mr. Gasbarro's situation.**

**Mr. Geremia stated that it can be established based on the type of occupancy and can come up with usage numbers. He also stated that if you wanted to use that edu's route but there would have to be a minimum. He thinks that they would have to establish a minimum for a commercial building and it should be justified.**

**Mrs. Briggs stated it would be for those individuals who have a few units (1 or 2) units for commercial properties.**

**Mr. Nordstrom stated that if it was a single commercial establishment it would be \$5,200 because they would have one connection but if it was a strip mall it would be \$5,200 for one unit then plus a percent for the other units.**

**Mr. Geremia referred to the ordinance that read that anyone outside of the district would pay the sewer lot development fees based upon edu's.**

**Mrs. Briggs stated that it does say it equals to 450 gallons per day. It states it on page 8.1.**

**Mr. Geremia stated that by what the ordinance states, that they might have to do it that way and figure out what the flow is for that particular type of establishment. If ISDS values are used, then you would need ISDS values to generate flow. For each complex that he has ISDS has a value if a septic system plan is designed for that.**

**Mr. Geremia stated that in regards to Mr. Gasbarro's situation it would be a percentage of the 450 gallons per day and he provided some examples to the commission of what it would possibly be.**

**Mrs. Briggs stated that Mr. Gasbarro paid the first quarter of all of his units so he could get his building permits. She asked Mr. Geremia if it would be possible to create a formula for the employee to actually plug in the amount? So when a developer comes in a existing**

building in a area they want to connect on, not a new construction and not in areas for Tuesday's bond.

Mr. Nordstrom made the point to divide by the number of days of the week that they were open.

Mr. Geremia's response was that he doesn't think that there is a magic formula because they would have to go through ISDS records. If the commission wanted to send that to him the information to do it, he feels that it wouldn't take him more than a couple of hours to do that very quickly and feels that it is not a big deal.

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Mrs. Briggs stated that it would save a multiple amount of phone calls between her and Mr. Alvarez.

Mr. Geremia will take a look at it and he suggests to the commission to maybe think about when they adopt a new ordinance policy that they may want to look at simplifying it.

#### **4. MR. & MRS. KENNETH TOUSIGNANT-Sewer Failure - 191 School Street**

Mrs. Briggs read Mr. Kenneth Tousignant's letter. "To Whom It May Concern: I would like to be put on the agenda with the Sewer

**Commission. My house at 191 School Street, the cesspool is failing. The sewage is leaking into my basement. I have to connect to the town sewer but there is no connection for my house even though the sewer is there and signed by Sincerely, Kenneth L. Tousignant.” She informed Mr. Tousignant that she called Mr. Alvarez, the superintendent for the sewer department to query the situation and she indicated that he has information to share with them.**

**Mr. Alvarez indicated that they found a line located in front of 191 School Street and found a line on the map but it didn’t show a stub. So they had to go out to verify that the stub was there on his property and he went out to the property the day before.**

**Mrs. Briggs stated that connecting to the sewer is possible at this point.**

**Mr. Alvarez indicated that the next step would be to get a plumber and dig it up to find the stub and they need to pull a permit.**

**Mr. Geremia had a conversation with Mrs. Tousignant and told her that there is not a 10 ft. separation between the sewer and the well. They would have to use a pressure pipe, or C900. That was the only extraordinary requirement because of the area.**

**Mrs. Briggs stated that the issue is resolved. Any connection would need to meet with the towns requirements and as long as the plumber**

works with Mr. Alvarez and that connection is made appropriately then there is no issue. Mrs. Briggs stated that given everything that was heard at the meeting, there is no need for the Tousignant's to return for another meeting because they are dealing strictly with private property at this point and it is merely a connection and it is a matter of having the inspection made by Mr. Alvarez.

Mr. Tousignant stated that he understood he needs to pull the permit and get a plumber and he thanked the commission.

## **5. PROCEDURE FOR NEW CONNECTION TO SEWER Diane Vadenais – Review Correspondence**

Mrs. Briggs shared with members the letter Mrs. Vadenais put together. It appears that she is trying to simplify things and asked commission members to review her letter. Mrs. Vadenais is looking for the commissions comments on her letter and to send their comments back to Mrs. Briggs and she will compile them and send them back to Mrs. Vadenais in the tax department.

## **6. CORRESPONDENCE & COMMUNICATIONS**

Mrs. Briggs wanted to bring to the commission's attention referring to a brochure from the RI Ethics Commission that it is a statement of conflict of interest. She wants to make sure that members of the commission is aware that they are held as boards and commissions and are held to the ethics commissions requirements that they identify themselves as people in conflict or a person potentially in

conflict and live in such a small town and they serve a small group of folks and want to make sure that they are not acting as a member of the commission on something that would be conflicted. If there is ever a situation where a member feels that they maybe conflicted or have a sense that they should recuse themselves, the code of ethics form should be filed with the Ethics Commission. And if ever they should feel that they feel conflicted, they should recuse themselves voluntarily. She stated that they are not being asked to fill it out on an annual basis, it is only if they would come into a situation that they feel conflicted.

She also received a letter dated September 25, 2007 from James and Jeanne Martel who reside at 129-131 Main Street and what they are looking for is being asked to connect and it is a result of the sewer line to accommodate Silver Pines. She asked members of the commission to read the letter and it will be placed on November's agenda and knowing the timeframe being at least a year, she didn't feel that it needed to be acted on at the October meeting due to the public hearing.

## **7. OLD BUSINESS**

Mrs. Briggs brought up the sewer bond referendum election will be held on Tuesday, October 16th, 2007.

## **8. NEW BUSINESS**

Mrs. Briggs informed members that Mr. Tikoian has resigned as of

**October 10th. She asked Mrs. Paul to prepare the standard letter thanking him for his service and will also need to make a presentation to the council requesting another appointee.**

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**9. ADJOURN**

**MOTION by Mr. Connolly, seconded by Mr. Nordstrom and voted unanimously on an aye 4-0 vote to adjourn the meeting at 8:20 P.M.**

**Meeting adjourned at 8:20 P.M.**

**Respectfully Submitted By,**

**Patricia A. Paul**

**Sewer Commission Secretary**